

IN RE:

JOSE CELSO MARTINEZ ORTIZ

DEBTOR(S)

CASE NO. 16-03675-MCF

CHAPTER 13

**TRUSTEE'S UNFAVORABLE REPORT
ON POST CONFIRMATION MODIFIED PLAN DATED 12/12/2018**

With respect to the above-referred payment plan with a base of \$26,900.00 the Trustee Renders the following recommendation:

☐ **FAVORABLE**

☒ **UNFAVORABLE**

The liquidation value of the estate is: 0.00

1. ☒ **FEASIBILITY 11 USC § 1325(a)(6): Per PCM; arrears of \$500.00 (December payment)**

2. ☐ **INSUFFICIENTLY FUNDED § 1325(b):**

3. ☐ **UNFAIR DISCRIMINATION § 1322(b):**

5. ☐ **FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):**

4. ☐ **FAILS LIQUIDATION VALUE TEST § 1325(a)(4):**

6. ☒ **DOES NOT PROVIDE FOR SECURED CREDITOR § 1325(a)(5):**

Plan no provision for insurance claim 5 filed by Eastern America Insurance.

7. ☒ **OTHER:**

(1)Section 4.3 does not specify how attorney's fees will be charged (flat fees or by application of compensation). (2)Debtor should provide copy of 2016 tax return and to pay the refund, if any.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s).
Copies are available to parties in interest at the Trustee's Office.

DATE: 12/18/2018

ROBERTO FIGUEROA

COUNSEL FOR DEBTOR(S)

/s/ Miriam Salwen Acosta

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Chapter 13 Trustee

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